



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,487	08/09/2001	Thomas Brumm	112740-207	5738
29177	7590	08/03/2005		
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			EXAMINER MOORE JR, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,487

Applicant(s)

BRUMM ET AL.

Examiner

Michael J. Moore, Jr.

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 9/9/2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner has considered the information disclosure statement.

Drawings

2. Replacement drawings were received on 5/16/2005. These drawings are acceptable and have been entered.

Claim Objections

3. Claims **1, 21, 24, and 26** are objected to because of the following informalities:

Regarding claim **1**, on line 8, the word "to" after the word "both" is not needed. Also, on line 9, the word "to" after the word "and" is not needed. Also, on line 13, there is some confusion regarding the phrase "the second data". It is believed that this phrase should be "the second signaling data". Also, on line 13, the word "in" after the word "transmitted" should be "to". Lastly, on lines 14-15, there is some confusion regarding the phrase "the first data". It is believed that this phrase should be "the first signaling data".

Regarding claim **21**, on lines 8-9, there is some confusion regarding the phrase "the second item of signaling information". It is unclear which "item of signaling information" is being referred to. Also, on line 8, the word "in" after the word "transmitted" should be "to". Lastly, on lines 9-10, there is some confusion

Art Unit: 2666

regarding the phrase "the first item of signaling information". It is unclear which "item of signaling information" is being referred to.

Regarding claim **24**, on line 1, the phrase "can be connected" should be changed to "is connected" in order to constitute a positive limitation. Also, on line 13, the word "in" after the word "transmitted" should be "to". Lastly, on lines 14-15, there is some confusion regarding the phrase "the first item of signaling information". It is believed that this phrase should be "the part of the first item of signaling information".

Regarding claim **26**, on line 1, the phrase "can be connected" should be changed to "is connected" in order to constitute a positive limitation. Also, on line 13, the word "in" after the word "transmitted" should be "to". Lastly, on lines 14-15, there is some confusion regarding the phrase "the first item of signaling information". It is believed that this phrase should be "the part of the first item of signaling information".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

Art Unit: 2666

the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims **1 and 3-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rose et al. (U.S. 6,396,840) ("Rose") in view of Ress et al. (U.S. 6,885,658) ("Ress").

Regarding claim **1**, Rose teaches an integrated system architecture in Figure 5 connecting subscriber terminal 119 (telecommunications device) to LAN 10 (packet-switching network). Rose also teaches subscriber terminal 119 (telecommunications device) that is connected to exchange 118 (line-switching network) as shown in Figure 5.

Rose also teaches LAN 10 (packet-switching communications network) of Figure 5 that communicates with multi-media endpoint 110 (second subscriber line). Rose also teaches gateway interface 112 (interface unit) of Figure 5 connected to both LAN 10 (packet-switching network) and subscriber terminal 119 (telecommunications device).

Rose also teaches gateway interface 112 of Figure 6 that translates H.225 call signaling (first signaling data) from LAN 10 into DSS1 broadband format

Art Unit: 2666

(second signaling data) for onward routing as spoken of on column 8, lines 53-65.

Rose fails to teach where the second signaling data is transmitted to the packet-switching communications network instead of the first signaling data when the second signaling data cannot be converted to the first signaling data.

However, Ress teaches a method of protocol interworking where message tunneling is used to transfer a native protocol message (second signaling data) from one protocol agent to another protocol agent without converting to and from the agent interworking protocol (first signaling) in the case that the native protocol message does not map to the other agent protocol as spoken of on column 9, lines 6-16.

At the time of the invention, it would have been obvious to someone skilled in the art to combine the tunneling teachings of Ress with the interworking teachings of Rose in order to communicate messages or parameters which do not map to any other agent protocols, but provide added value for a call between two devices as spoken of on column 9, lines 6-16 of Ress.

Regarding claim 3, Rose further teaches H.225 RAS 22, H.225 call signaling 14, and H.245 negotiation control 26 (first signaling data) as well as call signaling 114 (second signaling data) shown in Figure 6 and spoken of on column 8, lines 53-59.

Regarding claim 4, Rose further teaches gateway interface 112 (interface unit) of Figure 6 that translates incoming H.225 call signaling (signaling

Art Unit: 2666

messages) from LAN 10 (packet network) into DSS1 broadband format (signaling messages) for onward routing as spoken of on column 8, lines 53-65.

Regarding claim 5, Rose further teaches memory 154 of gateway interface 112 of Figure 6 that contains look-up tables (database) associated with signaling protocol translation schemes used to translate LAN signaling to narrowband/broadband signaling as spoken of on column 8, line 66 – column 9, line 5.

Regarding claim 6, Rose further teaches gateway interface 112 of Figure 6 that translates incoming H.225 call signaling (signaling messages) from LAN 10 (packet network) into DSS1 broadband format (signaling messages) for onward routing as spoken of on column 8, lines 53-65.

Regarding claim 7, Rose further teaches a message (acknowledgement) confirming the trunk circuit identity sent from next exchange 118 to call handler 116 in response to a setup signaling message sent from call handler 116 to next exchange 118 as spoken of on column 10, lines 24-36.

Regarding claim 8, Rose further teaches call signaling messages 114 that are used to set-up and clear-down calls as spoken of on column 7, lines 53-56.

Regarding claim 9, Rose further teaches the H.225 RAS (registering, admission, and status) signaling shown in Figure 6.

Regarding claim 10, Rose further teaches call signaling information 114 containing an address of a called party (call number identification) as spoken of on column 9, lines 13-18.

Art Unit: 2666

Regarding claim **11**, Rose further teaches gateway interface 112 of Figure 6 that translates incoming H.225 call signaling (signaling messages) from LAN 10 (packet network) into DSS1 broadband format (signaling messages) for onward routing as spoken of on column 8, lines 53-65.

Regarding claim **12**, Rose further teaches the DSS1 signaling format spoken of on column 8, lines 53-59.

Regarding claim **13**, Rose further teaches the H.225 RAS 22 and H.225.0 call signaling 14 spoken of on column 8, lines 44-49.

Regarding claim **14**, Rose further teaches subscriber terminal 119 of Figure 5 that utilizes ISDN broadband communication as spoken of on column 7, lines 50-62.

Regarding claim **15**, Rose further teaches the exchange 118 shown in Figure 5.

Regarding claim **16**, Rose further teaches gateway interface 112 shown in Figure 5.

Regarding claim **17**, Rose further teaches gateway interface 112 shown in Figure 5.

Regarding claim **18**, Rose further teaches the gateway interface 112 operating as a subscriber as spoken of on column 12, lines 11-16.

Regarding claim **19**, Rose further teaches gateway interface 112 shown in Figure 5.

Regarding claim **20**, Rose further teaches the H.225 RAS 22 and H.225.0 call signaling 14 spoken of on column 8, lines 44-49.

Regarding claim **21**, Rose teaches gateway interface 112 (interface unit) of Figure 5 connected to both LAN 10 (packet-switching network) and subscriber terminal 119 (telecommunications device) that is further connected to exchange 118 (line-switching network) as shown in Figure 5.

Rose also teaches processor 152 (control unit) of gateway interface 112 of Figure 6 that translates incoming H.225 call signaling (signaling information) from LAN 10 (packet network) into DSS1 broadband format (signaling information) for onward routing as spoken of on column 8, lines 53-65.

Rose fails to teach where the second signaling data is transmitted to the packet-switching communications network instead of the first signaling data when the second signaling data cannot be converted to the first signaling data.

However, Ress teaches a method of protocol interworking where message tunneling is used to transfer a native protocol message (second signaling data) from one protocol agent to another protocol agent without converting to and from the agent interworking protocol (first signaling) in the case that the native protocol message does not map to the other agent protocol as spoken of on column 9, lines 6-16.

At the time of the invention, it would have been obvious to someone skilled in the art to combine the tunneling teachings of Ress with the interworking teachings of Rose in order to communicate messages or parameters which do not map to any other agent protocols, but provide added value for a call between two devices as spoken of on column 9, lines 6-16 of Ress.

Art Unit: 2666

Regarding claim **22**, Rose further teaches gateway interface 112 (interface unit) of Figure 5 connected to both LAN 10 (packet-switching network) and subscriber terminal 119 (terminal).

Regarding claim **23**, Rose further teaches gateway interface 112 (interface unit) of Figure 5 connected to both LAN 10 (packet-switching network) and exchange 118.

Regarding claim **24**, Rose teaches gateway interface 112 (interface unit) of Figure 5 connected to both LAN 10 (packet-switching network) and subscriber terminal 119 (telecommunications device) that is further connected to exchange 118 (line-switching network) as shown in Figure 5.

Rose also teaches processor 152 (control unit) of gateway interface 112 of Figure 6 that translates incoming H.225 call signaling (signaling information) from LAN 10 (packet network) into DSS1 broadband format (signaling information) for onward routing as spoken of on column 8, lines 53-65.

Rose fails to teach where the second signaling data is transmitted to the packet-switching communications network instead of the first signaling data when the second signaling data cannot be converted to the first signaling data.

However, Ress teaches a method of protocol interworking where message tunneling is used to transfer a native protocol message (second signaling data) from one protocol agent to another protocol agent without converting to and from the agent interworking protocol (first signaling) in the case that the native protocol message does not map to the other agent protocol as spoken of on column 9, lines 6-16.

At the time of the invention, it would have been obvious to someone skilled in the art to combine the tunneling teachings of Ress with the interworking teachings of Rose in order to communicate messages or parameters which do not map to any other agent protocols, but provide added value for a call between two devices as spoken of on column 9, lines 6-16 of Ress.

Regarding claim **25**, Rose further teaches gateway interface 112 shown in Figure 5.

Regarding claim **26**, Rose teaches exchange 142 (private branch exchange) of Figure 5 connected to exchange 118 (line-switching network).

Rose also teaches gateway interface 112 (interface unit) of Figure 5 connected to both LAN 10 (packet-switching network) and subscriber terminal 119 (telecommunications device) that is further connected to exchange 118 (line-switching network) as shown in Figure 5.

Rose also teaches processor 152 (control unit) of gateway interface 112 of Figure 6 that translates incoming H.225 call signaling (signaling information) from LAN 10 (packet network) into DSS1 broadband format (signaling information) for onward routing as spoken of on column 8, lines 53-65.

Rose also teaches gateway interface 112 (interface unit) of Figure 5 connected to both LAN 10 (packet-switching network) and exchange 118.

Rose fails to teach where the second signaling data is transmitted to the packet-switching communications network instead of the first signaling data when the second signaling data cannot be converted to the first signaling data.

Art Unit: 2666

However, Ress teaches a method of protocol interworking where message tunneling is used to transfer a native protocol message (second signaling data) from one protocol agent to another protocol agent without converting to and from the agent interworking protocol (first signaling) in the case that the native protocol message does not map to the other agent protocol as spoken of on column 9, lines 6-16.

At the time of the invention, it would have been obvious to someone skilled in the art to combine the tunneling teachings of Ress with the interworking teachings of Rose in order to communicate messages or parameters which do not map to any other agent protocols, but provide added value for a call between two devices as spoken of on column 9, lines 6-16 of Ress.

Regarding claim 27, Rose further teaches gateway interface 112 shown in Figure 5 contained within exchange 142.

Response to Arguments

7. Applicant's arguments with respect to amended claims **1, 21, 24, and 26** have been considered but are moot in view of the new ground(s) of rejection provided above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Berg et al. (U.S. 6,680,952) is another reference pertinent to this application.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

Art Unit: 2666

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached at (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2666

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Moore, Jr.
Examiner
Art Unit 2666

mjm MM



DANG TON
PRIMARY EXAMINER